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UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

FILED

2013 JUN 12 P 3: 54

U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

GAIL WASHINGTON, as Administratrix
of the ESTATE of JOANNA GUILIA
WASHINGTON,
Plaintiff,

v.

LIFE CARE CENTERS OF AMERICA,
INC., D/B/A EVERGREEN HOUSE
HEATH CENTER,
Defendant.

CA 13- 4415
C.A. No.

NOTICE OF REMOVAL

**TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF RHODE ISLAND**

PLEASE TAKE NOTICE THAT, pursuant to 28 U.S.C. §§ 1332(a), 1441, and 1446,
the defendant, Life Care Centers of America, Inc., d/b/a Evergreen House Health Center,
by and through its undersigned counsel, Barton Gilman, LLP, hereby gives notice of
removal of this case to this Honorable Court from the Superior Court of Rhode Island
sitting in Providence County, in which this action is now pending. The defendant appears
solely for the purpose of removal and for no other purpose, reserving all defenses available
to it. In support of this Petition, the Defendant asserts as follows:

1. Gail Washington, as Administratrix of the Estate of Joanna Giulia Washington,
through her attorney, commenced an action against the Defendant in Providence
County Superior Court entitled: Gail Washington, as Administratrix of the Estate of
Joanna Giulia Washington v. Life Care Centers of America, Inc. d/b/a Evergreen

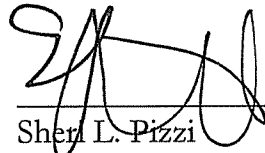
House Health Center, C.A. No.: P.C. 2013-2214. A copy of the summons and complaint are attached hereto as Exhibit "A."

2. A copy of plaintiff's Complaint was served to the defendants on or about May 15, 2013.
3. In Count One of the Complaint, entitled Negligence, plaintiff, Gail Washington, asserts that the Defendant negligently breached their duty to Joanna Giulia Washington "by among other acts and/or omissions, providing a scalding hot cup of coffee to her and/or failing to properly warn or assist her in the consumption of the same" causing Ms. Washington severe injuries.
4. In the Complaint, Plaintiff is identified as a resident of the State of Rhode Island.
5. Defendant, Life Care Centers of America, Inc., is a Tennessee corporation with its principal office at 3570 Keith Street, North West Cleveland, Tennessee.
6. This case is removable pursuant to 28 U.S.C. § 1441(a) since the parties are diverse. Further, Plaintiff seeks compensatory damages, interest, costs, expenses, and other relief as the Court deems just. Thus, the amount in controversy is in excess of \$75,000.00 exclusive of interest and costs.
7. This case is removable pursuant to 28 U.S.C. § 1441(a) since the United States District Court has diversity jurisdiction over this action pursuant to 28 U.S.C. § 1332(a).
8. As required by 28 U.S.C. § 1446(d), Defendants will give notice of this filing of to Plaintiff and to the clerk of the Providence County Superior Court of Rhode Island

where the action is now pending. A copy of the Notice to State Court of Filing of Notice of Removal is attached as Exhibit "B."

WHEREFORE, Defendant respectfully requests that the above action now pending against them in the Providence County Superior Court of Rhode Island be removed therefrom to this Court.

The Defendant,
Life Care Centers of America, Inc. d/b/a
Evergreen House Health Center,
By its Attorneys,



Sheri L. Pizzi
R.I. Bar No. 5720
Elizabeth R. Merritt
R.I. Bar No. 7936
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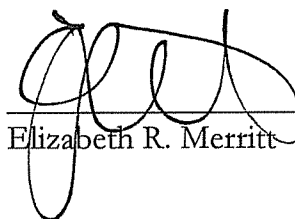
CERTIFICATE OF SERVICE

I, Elizabeth R. Merritt, attorney for the Defendant, hereby certify that on June 12, 2013, I mailed a copy of the following:

1. Notice of Removal

by regular mail, postage prepaid to:

Jeffrey D. Sowa, Esq.
LaPlante Sowa Goldman
67 Cedar Street
Providence, RI 02903


Elizabeth R. Merritt